

Practitioner's Docket No. F-7392 D3

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper for Serial No. 09/322,788 is being facsimile transmitted to the Patent and Trademark Office fax number (703) 308-7766 on the date shown below.

By: [Signature]Date: 4/25/00IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Arthur Vanmoor

Application No. 09/322,788

Group No.: 3754

Filed:

May 28, 1999

Examiner: Gregory L. Huson

For:

Caulking Gun and Cartridge with Afterflow Prevention

Assistant Commissioner for Patents
Washington D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(c))**

Identification of Person(s) Making This Disclaimer

I, GREGORY L. MAYBACK, represent that I am the attorney of record.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that Arthur Vanmoor (formerly known as "Arthur Van Moerkerken, and, hereinafter, the "disclaimant") owns is in the whole of this invention.

DISCLAIMER

CG
The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 5,582,331 to Van Moerkerken, U.S. Patent No. 5,704,518 to Vanmoor, and U.S. Patent No. 5,934,506 to Van Moerkerken, which forms the basis of the double patenting rejection. Any patent granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to a patent granted on application number 09/322,788; this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

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In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. patent Nos. 5,582,331, 5,704,518 and 5,934,506 forming the basis of the double patenting rejection, in the event that it expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

FEE STATUS
(37 C.F.R. 1.20(d))

The small entity fee was paid with the Terminal Disclaimer mailed on April 5, 2000.

FEE PAYMENT

Charge Account No. 12-1099 of Lerner and Greenberg, P.A. for any fee deficiency.


SIGNATURE OF PRACTITIONER

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